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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,088	12/01/2003	Masayuki Koshino	246013US8	1409
22850	7590	09/13/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER

2687

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/724,088	Applicant(s) KOSHINO ET AL.	
	Examiner Khai M. Nguyen	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/30/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement filed on April 30, 2004 have been considered by the examiner (see attached PTO-1449 form or PTO/SB/08A and 08B forms).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Chitrapu et al. (U.S.Pub-20030185190).

Regarding claim 1, Chitrapu teaches a radio access network system (fig.1-5, abstract) comprising:

a control server configured to manage a configuration of a radio access network including a base station (*fig. 1-5, paragraph 0024-0025, 0079, the controller controls the communications of the group of base station*), and to set a transfer path for a packet in accordance with the configuration (paragraph 0026-0027); and

a data server configured to manage a resource of a base station located in the transfer path set by the control server (*fig. 1-3, paragraph 0017-0019, 0079*).

Regarding claim 2, Chitrapu teaches a radio communication method in a radio access network including a base station, a control server and a data server (*fig. 1-5, paragraph 0017-0019, 0024-0025, 0079*), the method comprising the steps of:

managing a configuration of the radio access network in the control server (*fig. 1-5, paragraph 0024-0025, 0079, the controller controls the communications of the group of base station*); setting a transfer path for a packet in accordance with the configuration, in the control server (paragraph 0026-0027; and

managing a resource of a base station located in the transfer path set by the control server, in the data server (*fig. 1-3, paragraph 0017-0019, 0079*).

Regarding claim 3, Chitrapu teaches a control server (*fig. 1-5, 15-16, C-plane sever, paragraph 0024-0025, 0079*) comprising:

a manager configured to manage a configuration of a radio access network including a data server connected to the control server (fig.1-9, paragraph 0079) and a base station managed by the data server (fig.1-9, paragraph 0024-0025, 0064-0066) ; a transfer path setter configured to set a transfer path for a packet in accordance with the configuration (paragraph 0017-0019, 0067);

a network configuration notifier configured to notify an instruction to reserve a resource of a base station in accordance with the configuration, when the transfer path is set (paragraph 0018, 0079-0080).

Regarding claim 4, Chitrapu teaches the control server according to claim 3, wherein the control server is connected to a plurality of data servers (paragraph 0079-0080).

Regarding claim 5, Chitrapu teaches a data server (fig.1-5, 15-16, U-plane sever, paragraph 0024-0025, 0079) comprising:

a manager configured to manage a resource of a base station located in a radio access network (fig.1-5, paragraph 0024-0025);

a resource assigner configured to assign the resource to a transfer path for a packet in accordance with a resource reservation instruction notified by a control server (paragraph 0018, 0079-0080); and

a resource notifier configured to notify the assigned resource to the control server (paragraph 0018, 0079-0080).

Regarding claim 6, Chitrapu teaches the data server according to 5, wherein the data server transmits and receives the packet via the transfer path set by the control server (fig.15-16, paragraph 0080-0081).

Citation of Pertinent Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crosbie (U.S.Pub-20020035699) discloses Method and system for enabling seamless roaming in a wireless network.

Emanuel et al. (U.S.Pub-20020012328) discloses Addressing scheme to be used in an IP-based radio access network, corresponding base station and radio network controller.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
Au: 2687


SONNY TRINH
PRIMARY EXAMINER

8/18/2005